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Attorneys for Defendants

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

RUBEN PABLO and BONNIE COURSEY, On  
Behalf Of Themselves And All Others Similarly  
Situating,

Plaintiffs,

v.

SERVICEMASTER GLOBAL HOLDINGS,  
INC.; THE SERVICEMASTER COMPANY,  
INC.; THE TERMINIX INTERNATIONAL  
COMPANY, L.P., and TERMINIX  
INTERNATIONAL, INC., and DOES 1-20,  
inclusive,

Defendants.

**Case No. 08-3894-SI**

**The Honorable Susan Illston**

**DECLARATION OF JOAN B. TUCKER  
FIFE IN SUPPORT OF ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL BRIEFING  
REGARDING THE APPLICABILITY OF  
WAL-MART STORES V. DUKES TO  
MATTERS UNDER SUBMISSION**

**Related Cases:**

**No. 09-4044**

**No. 09-5148**

**No. 09-5150**

**No. 09-5152**

**No. 09-5154**

**No. 09-5153**

**No. 10-3887**

**No. 10-628**

I, Joan B. Tucker Fife, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn LLP, counsel for ServiceMaster Global Holdings, Inc., The ServiceMaster Company, Inc., The Terminix International Company, L.P., and Terminix International, Inc. (collectively "Defendants"). I have personal knowledge of the facts set forth in this Declaration, and if called as a witness, I could and would testify competently thereto. I submit this Declaration in support of Defendants' Motion to Preclude Class Certification in light of Court Orders re Partial Summary Judgment and Arbitration, and Supreme Court Authority in *Wal-Mart Stores Inc., v. Dukes* and *AT&T Mobility, LLC v. Concepcion*.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Declaration of Richard Morgan, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

3. Attached hereto as **Exhibit B** is a true and correct copy of the Declaration of William Peterson, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

4. Attached hereto as **Exhibit C** is a true and correct copy of the Declaration of Mario Gonzalez, filed on July 24, 2009 in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from Wayne Easley's deposition transcript taken on February 9, 2011.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from Alberto Rios' deposition transcript taken on February 7, 2011.

7. Attached hereto as **Exhibit F** is a true and correct copy of the Declaration of Alberto Rios, filed on July 24, 2009 in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification.

8. Attached hereto as **Exhibit G** is a true and correct copy of the Declaration of Dan Sisto, filed on July 24, 2009 in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification.

9. Attached hereto as **Exhibit H** is a true and correct copy of the Declaration of Helio

Costa, filed on July 24, 2009 in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification.

10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from Helio Costa's deposition transcript taken on November 19, 2009.

11. Attached hereto as **Exhibit J** is a true and correct copy of the Supplemental Declaration of Nicholas Annicchiarico, filed on February 18, 2011 in support of Plaintiffs' Reply to Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

12. Attached hereto as **Exhibit K** is a true and correct copy of the Declaration of Moises Estrata, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

13. Attached hereto as **Exhibit L** is a true and correct copy of the Declaration of Jesus Saldana, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

14. Attached hereto as **Exhibit M** is a true and correct copy of the Declaration of James Capwell, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

15. Attached hereto as **Exhibit N** is a true and correct copy of the Declaration of Tony Beas, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

16. Attached hereto as **Exhibit O** is a true and correct copy of the Declaration of John Cook, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

17. Attached hereto as **Exhibit P** is a true and correct copy of the Declaration of Dennis Jimbo, filed on February 11, 2011 in support of Defendants' Opposition to Plaintiffs' Renewed Motion for Class Certification.

18. Attached hereto as **Exhibit Q** is a true and correct copy of the Declaration of Nicholas Annicchiarico, filed on July 24, 2009 in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification.

/s/ Joan B. Tucker Fife  
Joan B. Tucker Fife